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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,951	03/21/2000	Craig Douglas Voisin	57921/105	7500

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GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER

DURAN, ARTHUR D

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/531,951

Applicant(s)

VOISIN ET AL.

Examiner

Arthur Duran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-51 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/4/04 has been entered.

Response to Amendment

3. The Amendment filed on 5/4/04 is insufficient to overcome the Gerace, Lumelsky, and Lowe reference.

Claim Rejections - 35 USC § 112

4. Claims 1, 16, 22, 32, 42, and 46 recite the limitation "determining. . . using said determined context category weight". There is insufficient antecedent basis for this limitation in the claim. The claim states, "said determined context category weight." However, there is no prior determined context category weight to refer to.

Claims 1, 16, 22, 32, 42, and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace (5,848,396) in view of Lumelsky (6,246,672) and in further view of Lowe (6,298,218).

Claims 1, 16, 22: Gerace discloses maintaining an Internet-related communication session between a user and a portal (col 4, lines 1-5) and during the communication session periodically selecting and playing advertisements automatically based on any one of user constraints and sales criteria (col 2, lines 35-42; col 5, lines 8-25).

Gerace discloses tracking all aspects of user navigation of a portal (col 2, lines 15-42). Gerace discloses the use of sound (col 1, lines 30-35), audio forecasts (col 8, lines 63-65; col 25, lines 15-18), and other sound and audio applications as referenced above. Gerace further discloses tracking the audio capabilities of a user's system (col 6, lines 17-21). Gerace further discloses the use of a variety of input means (col 4, lines 6-11), and that the method can be operated anywhere the Internet accessible (col 3, lines 54-58). Gerace further discloses the utilization and providing of television and radio broadcasts (col 36, lines 50-54; col 16, lines 55-60).

Gerace does not explicitly disclose the utilization of voice navigation.

However, Lumelsky discloses a wireless system that provides voice or audio broadcasts of all types, that is voice activated, voice controlled, voice navigated, features hands free operation, hands free user voice recording, and user voice message delivering to other users, and voice navigation access to Internet files from Web sites (col 5, line 50-col 6, line 5; Abstract).

Lumelsky further disclose creating a user profile and updating that profile with topics of user interest (col 20, lines 6-24; col 8, lines 50-55).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lumelsky's voice navigation to Gerace's targeted content over the Internet. One would have been motivated to do this because hands free voice input and navigation allows Gerace's method to reach a wider spectrum of possible uses.

Gerace further discloses selectively playing advertisements (col 2, lines 24-30) and playing advertisements depending upon the user's system (col 5, lines 19-25; col 6, lines 13-21) and playing the advertisement deemed of highest interest to the user (col 15, lines 25-45) and the advertiser paying for advertisements in different scales depending upon the receptions or actions taken upon an advertisement (col 12, lines 17-21).

Gerace does not explicitly disclose selectively disabling a user's ability to stop or interrupt an advertisement from being played depending upon the advertisement being played.

Lowe discloses selectively disabling a user's ability to stop or interrupt an advertisement from being played (col 3, lines 40-60; col 12, lines 25-61; col 7, lines 41-50) depending upon a variety of controllable input or advertising related information or information related to the advertisement being played (col 12, lines 55-59; col 12, lines 25-29; Fig. 1, item 111). Lowe further discloses recording which advertisements the user has seen (col 3, lines 47-50) and

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targeting the user for content including advertising and that a captive audience can be provided (col 2, lines 34-45; col 6, lines 15-23). Lowe further discloses targeted advertisements and targeted content depending upon the reference information about a user (col 4, lines 15-24) and different types of advertisements (col 5, lines 50-60). Lowe discloses the utilization of voice data for controlling an information system and the receiving of information including audio or video and advertisements particular to a user (col 9, lines 5-20).

Therefore, because Lowe discloses a lock out unit that can receive a variety of input and Lowe discloses targeting the users with a variety of advertising and Lowe discloses that the lock out unit can be activated or deactivated based on a variety of input and advertising related information, it would have been obvious to Lowe that the lock out unit can be activated based upon the advertising being played. Lowe would have been motivated to do this because some advertisements may be deemed more important for the user to hear or receive.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lowe's selectively disabling a user's ability to stop an advertisement to Gerace's selectively playing advertisements and playing the advertisements deemed of highest interest to the user. One would have been motivated to do this because some advertisements may be deemed more important for the user to hear or receive.

Additionally, Gerace discloses a context ratio (col 4, lines 40-47; col 11, lines 45-56; col 12, lines 22-35; col 14, line 65-col 15, line 10) and sales ratio determination (col 15, lines 10-25; col 12, lines 22-67) related to advertisements.

Gerace further discloses that said playing advertisements automatically based on said context ratio and sales ratio determination further comprises the steps of:

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providing an existant object of interest, said existant having one or more attributes and one or more market research criteria (col 4, lines 17-22), said one or more market criteria having associated weights (col 37, lines 5-15);

providing a set of one or more advertisements, each of said one or more advertisements having one or more associated categories (col 3, lines 4-9), wherein each one or more advertisements has category weight associated with each one or more associated categories (col 37, lines 5-15; col 17, lines 1-17; col 12, lines 22-34), and each of said one or more advertisements having an associated sales ratio (col 15, lines 10-15; col 2, lines 37-43);

determining for each one or more categories a content category weight using said one or more market research criteria, and using said determined context category weight to calculate a category context ratio (col 37, lines 5-15; col 17, lines 1-17; col 12, lines 22-34);

determining for each advertisement of said set of one or more advertisements a context total value, said context total value determined by said associated sales ratio, said category weight associated with said each one or more associated categories, and said category context ratio for said each one or more associated categories (col 37, lines 5-15; col 17, lines 1-17; col 12, lines 22-34; col 14, line 65-col 15, line 45); and

determining a selected advertisement to play from said advertisements by determining a maximum context total value from said determined context total value for each advertisement (col 37, lines 11-15; col 15, lines 1-25; col 15, lines 41-45).

Claims 2, 23: Gerace, Lumelsky, and Lowe disclose a method as in claims 1, 22, and Gerace further discloses playing an audio message identifying a product or service to be advertised, including a query as to whether the user would like to hear more information

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regarding the product or service, identifying a response of the user (col 2, lines 35-42; col 3, lines 4-10; col 8, lines 63-65; col 25, lines 15-17), selectively playing an audio advertisement for the product or service, if the response was affirmative (col 2, lines 40-42).

Claims 3 and 24: Gerace, Lumelsky, and Lowe disclose a method and means as in claim 2 and 23, and Gerace further discloses that the step of playing an audio message is in response to a previous user selection (col 2, lines 35-42).

Claims 4 and 25: Gerace, Lumelsky, and Lowe disclose a method and means as in claims 2 and 23, and Gerace further discloses the step of playing an audio message comprises identifying a preference of the user and selecting an advertisement for a product or service which corresponds to the preference of the user (col 5, lines 15-25).

Claims 5, 18, and 26: Gerace, Lumelsky, and Lowe disclose a method and means as in claims 4, 16, and 24, and Gerace further discloses identifying the user and retrieving preference information corresponding to the user, the preference information being stored in a database, and the advertisements played (col 5, lines 15-25).

Claims 6 and 27: Gerace, Lumelsky, and Lowe disclose a method as in claims 2 and 23. Gerace further discloses a wide variety of input means (col 38, lines 25-27). Gerace further discloses the user of audio and radio broadcasts (col 3, lines 4-10; col 8, lines 63-65; col 25, lines 15-17). Gerace further discloses making the use of the invention more appealing to the user (col 2, lines 47-54).

Gerace does not explicitly disclose the step of identifying a response of the user comprising applying voice recognition techniques. However, Lumelsky discloses step of

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identifying a response of the user comprising applying voice recognition techniques (col 12, lines 10-13).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lumelsky's voice recognition to Gerace's targeted advertising. One would have been motivated to do this because voice recognition is a standard method of user input and allows Gerace's user's further convenience.

Claims 7, 9, 20, 44: Gerace, Lumelsky, and Lowe disclose a method as in claims 2, 8, 16, 42, and Gerace further discloses the step of selectively playing an audio advertisement which comprises defining a set of advertisements, assigning weights to each member of the set of advertisements, and selecting a member of the set of advertisements based on the assigned weight (col 14, line 65-col 15, line 12).

Claims 8, 21, 28: Gerace, Lumelsky, and Lowe disclose a method as in claims 7, 16, and 23, and Gerace further discloses that wherein the step of assigning weights to each member of the set of advertisements comprises prioritizing each member of the set of advertisements (col 14, line 65-col 15, line 12).

Claim 13: Gerace, Lumelsky, and Lowe disclose a method as in claim 1 above, and further discloses that the step of maintaining a communication session between a user and portal comprises establishing a connection between a web device and the portal (col 3, lines 54-57).

Claim 15: Gerace, Lumelsky, and Lowe disclose a method as in claim 1 above, and Gerace further discloses that the step of maintaining a communication session between a user and portal comprises communicating with a personal computer interface (col 2, lines 1-15; col 4, lines 1-10).

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Claim 29, 32-36, 40, 41, 42, 43, 46, 47, 48: Gerace discloses maintaining an Internet-related communication session between a user and a portal (col 4, lines 1-5) and during the communication session periodically selecting and playing advertisements automatically based on any one of user constraints and sales criteria (col 2, lines 35-42; col 5, lines 8-25).

Gerace discloses tracking all aspects of user navigation of a portal (col 2, lines 15-42). Gerace discloses the use of sound (col 1, lines 30-35), audio forecasts (col 8, lines 63-65), and other sound and audio applications as referenced above. Gerace further discloses tracking the audio capabilities of a user's system (col 6, lines 17-21). Gerace further discloses the use of a variety of input means (col 4, lines 6-11), and that the method can be operated anywhere the is Internet accessible (col 3, lines 54-58).

Gerace does not explicitly disclose the utilization of voice navigation.

However, Lumelsky discloses a wireless system that provides voice or audio broadcasts of all types, that is voice activated, voice controlled, voice navigated, features hands free operation, hands free user voice recording, and user voice message delivering to other users, and voice navigation access to Internet files from Web sites (col 5, line 50-col 6, line 5; Abstract).

Lumelsky further disclose creating a user profile and updating that profile with topics of user interest (col 20, lines 6-24; col 8, lines 50-55).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lumelsky's voice navigation to Gerace's targeted content over the Internet. One would have been motivated to do this because hands free voice input and navigation allows Gerace's method to reach a wider spectrum of possible uses.

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Gerace further discloses playing an audio message identifying a product or service to be advertised, including a query as to whether the user would like to hear more information regarding the product or service, identifying a response of the user (col 2, lines 35-42; col 3, lines 4-10; col 8, lines 63-65; col 25, lines 15-17), selectively playing an audio advertisement for the product or service, if the response was affirmative (col 2, lines 40-42).

Gerace further discloses the step of selectively playing an audio advertisement which comprises defining a set of advertisements, assigning weights to each member of the set of advertisements, and selecting a member of the set of advertisements based on the assigned weight (col 14, line 65-col 15, line 12).

Gerace further discloses selectively playing advertisements (col 2, lines 24-30) and playing advertisements depending upon the user's system (col 5, lines 19-25; col 6, lines 13-21) and playing the advertisement deemed of highest interest to the user (col 15, lines 25-45) and the advertiser paying for advertisements in different scales depending upon the receptions or actions taken upon an advertisement (col 12, lines 17-21).

Gerace does not explicitly disclose selectively disabling a user's ability to stop or interrupt an advertisement from being played depending upon the advertisement being played.

Lowe discloses selectively disabling a user's ability to stop or interrupt an advertisement from being played (col 3, lines 40-60; col 12, lines 25-61; col 7, lines 41-50) depending upon a variety of controllable input or advertising related information or information related to the advertisement being played (col 12, lines 55-59; col 12, lines 25-29; Fig. 1, item 111). Lowe further discloses recording which advertisements the user has seen (col 3, lines 47-50) and targeting the user for content including advertising and that a captive audience can be provided

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(col 2, lines 34-45; col 6, lines 15-23). Lowe further discloses targeted advertisements and targeted content depending upon the reference information about a user (col 4, lines 15-24) and different types of advertisements (col 5, lines 50-60). Lowe discloses the utilization of voice data for controlling an information system and the receiving of information including audio or video and advertisements particular to a user (col 9, lines 5-20).

Therefore, because Lowe discloses a lock out unit that can receive a variety of input and Lowe discloses targeting the users with a variety of advertising and Lowe discloses that the lock out unit can be activated or deactivated based on a variety of input and advertising related information, it would have been obvious to Lowe that the lock out unit can be activated based upon the advertising being played. Lowe would have been motivated to do this because some advertisements may be deemed more important for the user to hear or receive.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lowe's selectively disabling a user's ability to stop an advertisement to Gerace's selectively playing advertisements and playing the advertisements deemed of highest interest to the user. One would have been motivated to do this because some advertisements may be deemed more important for the user to hear or receive.

Additionally, Gerace discloses a context ratio (col 4, lines 40-47; col 11, lines 45-56; col 12, lines 22-35; col 14, line 65-col 15, line 10) and sales ratio determination (col 15, lines 10-25; col 12, lines 22-67) related to advertisements.

Gerace further discloses that said playing advertisements automatically based on said context ratio and sales ratio determination further comprises the steps of:

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providing an existant object of interest, said existant having one or more attributes and one or more market research criteria (col 4, lines 17-22), said one or more market criteria having associated weights (col 37, lines 5-15);

providing a set of one or more advertisements, each of said one or more advertisements having one or more associated categories (col 3, lines 4-9), wherein each one or more advertisements has category weight associated with each one or more associated categories (col 37, lines 5-15; col 17, lines 1-17; col 12, lines 22-34), and each of said one or more advertisements having an associated sales ratio (col 15, lines 10-15; col 2, lines 37-43);

determining for each one or more categories a content category weight using said one or more market research criteria, and using said determined context category weight to calculate a category context ratio (col 37, lines 5-15; col 17, lines 1-17; col 12, lines 22-34);

determining for each advertisement of said set of one or more advertisements a context total value, said context total value determined by said associated sales ratio, said category weight associated with said each one or more associated categories, and said category context ratio for said each one or more associated categories (col 37, lines 5-15; col 17, lines 1-17; col 12, lines 22-34; col 14, line 65-col 15, line 45); and

determining a selected advertisement to play from said advertisements by determining a maximum context total value from said determined context total value for each advertisement (col 37, lines 11-15; col 15, lines 1-25; col 15, lines 41-45).

Claims 10, 30, 37 and 45: Gerace, Lumelsky, and Lowe disclose a system as in claims 7, 32, and 42, and Gerace further discloses providing billing information on advertisements used based on a per use rate of charge (col 12, line 56-col 13, line 10).

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Claims 11, 14, 17, 19, 31, and 49: Gerace, Lumelsky, and Lowe disclose a method as in claims 2, 1, 16, 23, and 46. Gerace further discloses the user making selections and purchases (col 2, lines 35-42). Gerace further discloses the user of audio and radio broadcasts (col 3, lines 4-10; col 8, lines 63-65; col 25, lines 15-17). Gerace further discloses making the use of the invention more appealing to the user (col 2, lines 47-54). Gerace further discloses warning and notice messages (col 33, lines 32-35).

Gerace does not explicitly disclose identifying a response comprises playing a confirmation audio message to confirm the response.

Gerace does not explicitly that the communication session comprises a voice interface.

However, Lumelsky discloses identifying a response comprises playing a confirmation audio message to confirm the response (col 7, lines 15-18).

Lumelsky further discloses that the step of maintaining a communication session between a user and portal comprises communicating with a voice interface (col 8, line 66-col 9, line 1).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lumelsky's voice recognition to Gerace's targeted content. One would have been motivated to do this because voice recognition is a standard method of user input and allows Gerace's user's further convenience.

Claims 12, 38, 39, 50: Gerace, Lumelsky, and Lowe disclose a method as in claims 1, 32, 46. Gerace further discloses that the communication session between a user and portal can be over an Internet capable medium (col 3, lines 54-57).

Gerace does not explicitly disclose the step of maintaining a communication session between a user and portal comprises establishing a connection between a wireless application protocol device and the portal.

However, Lumelsky discloses maintaining a communication session between a user and portal comprises establishing a connection between a wireless application protocol device and the portal (col 1, lines 6-9 and col 6, lines 57-65).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lumelsky's wireless device to Gerace's targeted content over the Internet. One would have been motivated to do this because wireless devices interacting with the Internet is an industry standard and allows Gerace's method to reach a wider spectrum of user devices.

Claim 51: Gerace, Lumelsky, and Lowe disclose a program code as in claim 46 above. Gerace discloses that the program code operates audio content (col 3, lines 4-10; col 8, lines 63-65; col 25, lines 15-17). Gerace further discloses collecting and maintaining user telephone information and general telephone related information (col 1, lines 10-14; col 6, lines 1-5; col 9, lines 30-33).

Gerace does not explicitly disclose that the computer readable program code for transforming Internet-based information into speech or vocal transmission utilizes the telephone.

However, Lumelsky discloses a system with program code for an interactive radio system that utilizes the telephone (col 21, lines 53-62 and col 23, line 4).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lumelsky's voice recognition with telephone utilization to Gerace's targeted information.

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One would have been motivated to do this because so that Gerace can better utilize the telephone information that he has already collected.

Response to Arguments

6. Applicant's arguments with respect to claim 1-51 have been considered but are not found persuasive. Particularly note the rejection of the Independent claims above.

Examiner notes that while specific references were made to the prior art, it is actually also the prior art in its entirety that is being referred to.

Examiner further notes that it is the Applicant's claims as stated in the Applicant's claims that are being rejected with the prior art.

Applicant has added the features of calculate and ratio to the Independent claims.

The online Merriam-Webster dictionary at www.m-w.com defines 'calculate' as,

"to determine by mathematical processes **b** : to reckon by exercise of practical judgment : **ESTIMATE** **c** : to solve or probe the meaning of : **FIGURE OUT** <trying to *calculate* his expression -- Hugh MacLennan>" and 'ratio' as,

"**a** : the indicated quotient of two mathematical expressions **b** : the relationship in quantity, amount, or size between two or more things : **PROPORTION**".

Hence, these terms indicate specific mathematical calculation. However, the Applicant has not specified in the claims the steps for calculation or what, specifically, is involved in the ratio determination. For example, the category context ratio of claim 1 is a ratio calculation determined by calculating and relating which factors? While the category context ratio is said to be calculated using said content category weight, a ratio involves more than one factor. Hence,

what is the other factor to be utilized in calculating the category context ratio? Hence, since the Applicant's claims do not specifically state what is involved in the ratio calculations, the claims can be interpreted broadly in terms of what is involved in the steps of the calculations.

Conclusion

This is a RCE of applicant's earlier Application No. 09/531,951. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (703)305-4687. The examiner can normally be reached on Mon- Fri, 7:30-4:00.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (703)305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AD

6/14/04


JAMES W. MYHRE
PRIMARY EXAMINER